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11           Hae Sung Nam (admitted *pro hac vice*)  
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25           *Counsel for Plaintiff Kondomar Herrera and*  
26           *Proposed Co-Lead Counsel for the Putative Class*

27           **UNITED STATES DISTRICT COURT**  
28           **NORTHERN DISTRICT OF CALIFORNIA**  
29           **SAN FRANCISCO DIVISION**

30           IN RE: GOOGLE PLAY CONSUMER  
31           ANTITRUST LITIGATION

32           This Document Relates to All Actions

33           Case No. 3:20-cv-05761-JD

34           **DECLARATION OF HAE SUNG NAM IN**  
35           **SUPPORTING NOTICE OF MOTION TO**  
36           **APPOINT KAPLAN FOX & KILSHEIMER**  
37           **LLP AS INTERIM LEAD COUNSEL FOR**  
38           **CONSUMER PLAINTIFFS**

39           Hearing Date: December 31, 2020  
40           Hearing Time: 10:00 a.m.  
41           Judge:           Hon. James Donato

1           **I, Hae Sung Nam**, declare as follows:

2           1. I am a partner with the law firm of Kaplan Fox & Kilsheimer LLP (“Kaplan Fox”)  
 3 and am one of the attorneys for Plaintiff Kondomar Herrera (“Plaintiff”). This declaration is made  
 4 in support of Plaintiff’s Notice of Motion and Motion to Appoint Kaplan Fox & Kilsheimer LLP as  
 5 Lead Counsel for consumer plaintiffs.

6           2. I have personal knowledge of the matters stated herein and, if called upon, I could  
 7 and would competently testify thereto. I make this declaration pursuant to 28 U.S.C. §1746.

8           3. At Kaplan Fox, I handle complex litigation, including antitrust class actions. Prior to  
 9 filing *Herrera v. Google*, 5:20-cv-07365 (N.D. Cal.) on October 20, 2020, Kaplan Fox had been  
 10 investigating the underlying conduct that gave rise to the consumer class plaintiffs’ claims as early  
 11 as 2018 by closely monitoring multiple European Union antitrust investigations into Google. We  
 12 also researched the mobile application industry and Google’s presence and actions in that industry  
 13 and consulted with an economic expert to understand the market, injuries, and damages alleged to  
 14 have been caused by Defendant and their associates’ conduct. Kaplan Fox also reviewed publicly  
 15 available information related to Google and their associates to determine that the claims therein were  
 16 susceptible to class treatment, including but not limited to the 450-page U.S. Majority Staff Report  
 17 and Recommendations on competition in digital markets. *See* Majority Staff of H. Sub-Comm. on  
 18 Antitrust, Commercial and Admin. Law, Comm. on the Judiciary, 116th Cong., Investigation of  
 19 Competition in Digital Markets (Oct. 4, 2020) (hereinafter, “U.S. House Report”), *available at*:  
 20 [https://judiciary.house.gov/uploadedfiles/competition\\_in\\_digital\\_markets.pdf](https://judiciary.house.gov/uploadedfiles/competition_in_digital_markets.pdf). This knowledge  
 21 assisted Kaplan Fox in conducting its investigation and drafting the initial complaint.

22           4. A true and correct copy of Kaplan Fox’s attorneys who are working on this case is  
 23 attached hereto and incorporated herein by reference as **Exhibit A**.

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1       **I. KAPLAN FOX'S EXPERIENCE HANDLING ANTITRUST CLASS ACTION CASES**  
 2       **AND OTHER HIGHLY COMPLEX ACTIONS**

3       5. Kaplan Fox has extensive experience in complex antitrust class actions in United  
 4 States District Courts across the country. As summarized below, Kaplan Fox has been appointed to  
 5 serve in leadership positions in many of these antitrust class actions.

6       6. In *In re Air Cargo Shipping Servs. Antitrust Litig.*, No. 1:06-md-1775-JG-VVP  
 7 (E.D.N.Y.) ("Air Cargo"), Kaplan Fox was appointed as co-lead counsel for direct purchasers of air  
 8 cargo shipping services in this antitrust class action against the world's major providers of air cargo  
 9 shipping services. Close to trial, the case settled for more than \$1.25 billion. Kaplan Fox led  
 10 plaintiffs' three-day evidentiary hearing on class certification, which resulted in Magistrate Judge  
 11 Pohorelsky's detailed Report and Recommendation to certify the class and to exclude certain  
 12 portions of defendants' experts' testimony. See *In re Air Cargo Shipping Servs. Antitrust Litig.*, No.  
 13 06-MD-1775, 2014 WL 7882100 (E.D.N.Y. Oct. 15, 2014). In denying defendants' motions for  
 14 summary judgment and granting plaintiffs' motions to strike defendants' affirmative defenses  
 15 (argued by Kaplan Fox), Honorable John Gleeson stated: "Well, first of all, thank you for your  
 16 advocacy, both in writing and orally. You travel in different circles than the ones I travel in so you  
 17 probably don't appreciate how unusual it is to have such excellent lawyering so I am grateful for it."

18       7. In *In re High Fructose Corn Syrup Antitrust Litig.*, MDL No. 1087 (C.D. Ill.) ("High  
 19 Fructose"), Kaplan Fox was appointed to represent a class of direct purchasers alleging that the  
 20 Archer Daniels Midland Company and a number of its competitors conspired to fix the price of high  
 21 fructose corn syrup. After the district court granted summary judgment for the defendants, Kaplan  
 22 Fox successfully argued the case before the U.S. Court of Appeals for the Seventh Circuit, with Judge  
 23 Posner writing a seminal antitrust opinion reversing the trial court's decision. See *In re High Fructose*  
 24 *Corn Syrup Antitrust Litig.*, 295 F.3d 651 (7th Cir. 2002). The case later settled shortly before trial  
 25 for \$531 million. At the end of the case, presiding judge Michael H. Mihm complimented plaintiffs'  
 26 lead counsel, stating that "[t]he opinion of competent counsel. I respect their opinion greatly. I have  
 27 no reason to think that, based on everything I know of in this case, that this matter wasn't settled

1 completely on an arms' length basis and that the plaintiffs' counsel aggressively represented the class  
 2 in the settlement negotiations," and "I've said many times during this litigation that you and the  
 3 attorneys who represented the defendants here are as good as it gets. Very professional. At least in  
 4 my presence or in my contacts with you, you've always been civil. You've always been cutting to  
 5 the chase and not wasting my time or each other's time or adding to the cost of the litigation."<sup>1</sup>

6       8.     In *In re Flat Glass Antitrust Litig.*, MDL No. 1200 (W.D. Pa.) ("Flat Glass"), Kaplan  
 7 Fox was appointed a co-lead counsel in a case against the leading manufacturers of flat glass (used  
 8 in everything from house windows to car windshields). The firm was significantly involved in all  
 9 aspects of the case, including Kaplan Fox's successful argument before the U.S. Court of Appeals  
 10 for the Third Circuit, which issued a groundbreaking summary judgment opinion that is routinely  
 11 cited in antitrust cases throughout the federal courts. See *In re Flat Glass Antitrust Litig.*, 385 F.3d  
 12 350 (3d. Cir. 2004). *Flat Glass* settled on the eve of trial for a total of \$122 million for the class.

13       9.     In *In re Neurontin Antitrust Litig.*, MDL No. 1479, Master File No. 02-1390 (D.N.J.),  
 14 Kaplan Fox was one of two co-lead counsel in this hard-fought delayed-generic entry case against  
 15 Pfizer and Warner-Lambert which lasted over twelve years and which settled in 2014 for \$190  
 16 million shortly before trial. Kaplan Fox's work on this case resulted in numerous published decisions  
 17 on a wide array of important issues in this particular type of antitrust litigation.

18       10.    Other cases where Kaplan Fox has been appointed by courts in this district and by  
 19 courts around the country to lead antitrust cases include: *In re Caustic Soda Antitrust Litigation*,

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21       <sup>1</sup> On other occasions Judge Mihm stated: (a) "I want to thank you for the high quality of your  
 22 presentation today. I told my interns earlier today that, you know, everyone involved in a case like  
 23 this has really significant obligations and responsibilities. As lawyers, you to your clients. From where  
 24 I'm sitting, to everybody. So it's very serious business. At the same time, I woke up early this morning  
 25 because I couldn't wait to get here because I knew this was going to be a really interesting day  
 26 listening to good lawyers and you didn't disappoint me." After two days hearing on various pretrial  
 27 issues on May 17 and 18, 2004, Judge Mihm stated: (b) "Well, I do want to say, I know that there  
 have been some rather contentious arguments here, but I do appreciate the quality of the arguments  
 and the briefs and I do want to say I recognize that this could be a lot worse than it is and it's as good  
 as it is because I think you've all worked quite hard. Now you have to take those efforts and multiply  
 them by two, particularly with the depositions and the exhibit issues. It's a real pleasure to deal with  
 lawyers of your quality and professionalism, so thank for that."

1 1:19-cv-00385-EAW-MJR (W.D.N.Y.) (“*Caustic Soda*”) and *In re Keurig Green Mountain Single-*  
 2 *Serve Coffee Antitrust Litigation*, 1:14-md-02542 (S.D.N.Y) (“*Keurig*”).

3 **II. KAPLAN FOX’S EXPERIENCE SUGGESTS THAT THIS CASE NEEDS A VERY**  
 4 **STRONG STEERING COMMITTEE BECAUSE OF THE SIZE**

5 11. In addition to the foregoing actions where Kaplan Fox served as lead or co-lead  
 6 counsel, Kaplan Fox has also served on Executive Committees, Steering Committees, and as  
 7 Committee Chair in other litigation. That experience suggests that this case needs strong leadership  
 8 and a STEERING COMMITTEE.

9 12. In *In re Generic Pharms. Pricing Antitrust Litig.*, MDL 2724 (E.D. Pa.) (Judge  
 10 Cynthia M. Rufe) (“*Generic Drugs*”), Kaplan Fox was appointed to a position on Plaintiffs’ Steering  
 11 Committee and represents a class of direct purchaser plaintiffs in sprawling litigation that alleges  
 12 certain generic drug manufacturers conspired to fix the price of certain generic drugs.

13 13. In *In re: Surescripts Antitrust Litigation*, 1:19-cv-06627 (N.D. Ill.) (“*Surescripts*”), a  
 14 case concerning allegations of monopolization of certain electronic pharmaceutical prescription  
 15 markets, Kaplan Fox was appointed Chair of the Plaintiffs’ Executive Committee.

16 14. In *In re Infant Formula Antitrust Litigation*, MDL 878 (N.D. Fla.), Kaplan Fox was  
 17 appointed to a position on Plaintiffs’ Executive Committee in an antitrust price-fixing class action  
 18 against the major manufacturers of infant formula.

19 15. In *In re Brand Name Prescription Drugs Antitrust Litigation*, MDL 997 (N.D. Ill.)  
 20 (“*Prescription Drugs*”), Kaplan Fox was appointed to a position on Plaintiffs’ Executive Committee  
 21 and represented a class of retail pharmacies that alleged defendant manufacturers and wholesalers of  
 22 prescription drugs conspired to deny the pharmacies discounts of the list price.

23 16. Kaplan Fox is also currently representing substantial businesses, including public  
 24 companies, as opt-outs in antitrust litigation, including in *In re Packaged Seafood Prod. Antitrust*  
 25 *Litigation*, 3:15-md-02670 (S.D. Cal.), and in *In re Broiler Chicken Antitrust Litigation*, 1:16-cv-  
 26 08637 (N.D. Ill.).

**III. KAPLAN FOX'S ADDITIONAL QUALIFICATIONS FOR APPOINTMENT AS  
INTERIM LEAD COUNSEL OR CO-LEAD COUNSEL**

3 17. Kaplan Fox was founded in 1954 and is one of the most established plaintiffs' 4 litigation practices in the country. The firm's early commitment to high-stakes litigation continues 5 to define the firm to the present day. The National Law Journal has named Kaplan Fox on its list of 6 the nation's top 10 "hot" litigation boutiques, a list that included both plaintiff and defense firms. 7 More than half of the firm's partners have been rated "Super Lawyers." Two of the firm's partners 8 (Gregory Arenson and Robert Kaplan) were named among the 75 best plaintiffs' lawyers in the 9 country based on expertise and influence. Today, Kaplan Fox has 25 lawyers in four litigation 10 practice areas (antitrust, securities, consumer protection and cybersecurity/data privacy) and a private 11 client services group led by the former general counsel of Sotheby's.

18. To date, the firm has recovered more than \$5 billion for its clients and classes, including matters such as *In re Bank of America Corp. Sec. Deriv., and ERISA Litig.*, No. 1:09-md-020508-PKC (S.D.N.Y.), in which as one of three co-lead counsel, Kaplan Fox recovered \$2.425 billion for investors just weeks before trial—one of the largest recoveries in the history of securities class actions; and *In re Air Cargo Shipping Servs., Antitrust Litig.*, No. 06-md-1775 (JG) (VVP) (E.D.N.Y.), in which as one of four co-lead counsel representing direct purchasers alleging violations of antitrust laws, Kaplan Fox recovered more than \$1 billion in settlements.

HAE SUNG NAM

20        19. Ms. Nam has been representing consumers, employees, and investors in complex  
21 class actions and multi-district litigation in districts throughout the country for over 21 years. Ms.  
22 Nam has played integral roles in a number of the firm's notable cases, including *In re Bank of*  
23 *America Corp., Securities, Derivative, and ERISA Litigation*, No. 1:09-md-020508-PKC (S.D.N.Y.),  
24 *In re Fannie Mae Securities Litigation*, No. 08-cv-7831-PAC (S.D.N.Y.), and *In re Ambac Financial*  
25 *Group, Inc. Securities Litigation*, No. 08-411-NRB (S.D.N.Y.). Ms. Nam also has substantial  
26 experience prosecuting antitrust matters on behalf of various classes and opt-outs, including *In re:*  
27 *Generic Pharmaceuticals Pricing Antitrust Litigation*, No. 16-cv-02724 (E.D. Pa.), *In re Keurig*

1 *Green Mountain Single-Serve Coffee Antitrust Litigation*, 1:14-md-02542 (S.D.N.Y.), *In re Payment*  
2 *Card Interchange Fee and Merchant Discount Antitrust Litigation*, 1:05-md-01720 (E.D.N.Y.), *In re*  
3 *Flat Glass Antitrust Litigation*, No. 03-cv-2920 (W.D. Pa.), and *In re High Fructose Corn Syrup*  
4 *Antitrust Litigation*, MDL No. 1087 (C.D. Ill.).

## ROBERT N. KAPLAN

6        20.      Robert Kaplan is widely recognized as a leading plaintiff's litigator and has led the  
7 prosecution of numerous antitrust and securities fraud actions, including having served as lead or co-  
8 counsel in *In re Air Cargo Antitrust Litigation*, MDL 1775 (E.D.N.Y.), *In re Cast Iron Soil Pipe and*  
9 *Fittings Antitrust Litigation*, and *In re Keurig Green Mountain Single-Serve Coffee Antitrust*  
10 *Litigation*.

## FREDERIC S. FOX

12        21.      Frederic Fox represents many institutional investors, including governmental entities  
13 in both class actions and individual litigation, including having served as lead counsel in *In re Merrill  
14 Lynch & Co., Inc. Securities, Derivative, & ERISA Litigation*, No. 07-cv-9633 (S.D.N.Y.).

LAURENCE D. KING

16 22. Laurence King is currently appointed by Judge Davila as co-lead counsel to manage  
17 the massive MDL concerning claims Apple deceived consumers by throttling processor speeds of  
18 Apple devices like iPhones and iPads in *In re: Apple Inc. Device Performance Litigation*, No. 18-  
19 md-02827-EJD. In his order appointing Kaplan Fox as co-lead counsel, Judge Davila noted that  
20 plaintiffs' leadership "demonstrated an ability to cooperate with a range of different interests that  
21 span across law firms, practice groups, geography, and gender and introduce[d] smaller firms into  
22 the litigation experience." *Id.*, ECF No. 99 (May 15, 2018). As part of that litigation, Mr. King  
23 successfully obtained a settlement of up to \$500 million in case refunds that obtained preliminary  
24 approval. *Id.*, ECF No. 415. Mr. King has also been appointed by courts in this District and Circuit,  
25 and nationwide, to oversee class actions spanning securities fraud, consumer protection, and Silicon  
26 Valley technology.

DONALD R. HALL

23. Donald Hall has played a key role in many of the Kaplan Fox's securities and antitrust class actions resulting in substantial recoveries for the Firm's clients, including *In re Merrill Lynch Research Reports Securities Litigation*; *In re Salomon Analyst Williams Litigation* and *In re Salomon Focal Litigation*; *In re Flat Glass Antitrust Litigation*; and *In re Compact Disc Antitrust Litigation*.

MARIO M. CHOI

24. Mario Choi is an associate in Kaplan Fox's Bay Area office and has played a central role on a number of the firm's consumer, antitrust, and other matters, including *In re Apple Device Performance Litigation*, *In re Yahoo Mail Litigation*, No. 5:13-cv-04980-LHK (N.D. Cal.), and *McKenzie Law Firm, P.A. v. Ruby Receptionists, Inc.*, No. 3:18-cv-01921-SI (D. Or.). Mr. Choi is also an active member of the legal community, serves as a Judge *Pro Tem* for the San Francisco Superior Court and is a member of the Asian American Bar Association – Bay Area and the Bay Area Lawyers for Individual Freedom. For his work in the community, Mr. Choi was elected a Fellow of the American Bar Foundation. *Id.*

AARON L. SCHWARTZ

25. Aaron Schwartz is an associate with the firm and has played an important role in several of the firm's consumer and antitrust matters, including *In re Apple Device Performance Litigation*, No. 5:18-md-02827-EJD (N.D. Cal.), and *In re: Bearings Cases*, No. 12-md-02311 (E.D. Mich.). Prior to joining Kaplan Fox, Mr. Schwartz was a Deputy Attorney General in the Pennsylvania Office of Attorney General, Antitrust Section where he litigated antitrust merger cases, including *FTC et. al. v. Penn State Hershey Medical Center, et. al.*, 1:15-cv-02362-JEJ (M.D. Pa. 2016), and *U.S. et. al. v. Aetna et. al.*, 1:16-cv-01494 (D.D.C. 2016).

26. The background of the key attorneys how will serve on this case is attached.

Executed this 23rd day of November 2020, in New York, New York.

/s/ Hae Sung Nam  
Hae Sung Nam

# **EXHIBIT A**



## **KAPLAN FOX & KILSHEIMER LLP**

## **FIRM PROFILE**

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## History of Kaplan Fox & Kilsheimer LLP

The firm has been in existence for more than forty years. It has three primary litigation practice areas (antitrust, securities, and consumer protection), and the firm is a leader in all three. To date, we have recovered more than **\$5 billion** for our clients and classes. In addition, the firm has expanded its consumer protection practice to include data privacy litigation, and few other firms can match Kaplan Fox's recent leadership in this rapidly emerging field. The following describes Kaplan Fox's major practice areas, its most significant recoveries and its attorneys.

## Antitrust Litigation

Kaplan Fox has been at the forefront of significant private antitrust actions, and we have been appointed by courts as lead counsel or members of an executive committee for plaintiffs in some of the largest antitrust cases throughout the United States.

Members of the firm have also argued before federal Courts of Appeals some of the most significant decisions in the antitrust field in recent years. For example, Robert Kaplan argued the appeal in *In re Flat Glass Antitrust Litigation*, 385 F. 3d 350 (3d Cir. 2004), and Greg Arenson argued the appeal in *In re High Fructose Corn Syrup Antitrust Litigation*, 295 F. 3d 651 (7th Cir. 2002). In a relatively recent survey of defense counsel, in-house attorneys, and individuals involved in the civil justice reform movement, both were named among the 75 best plaintiffs' lawyers in the country based on their expertise and influence.

Over the years, Kaplan Fox has recovered over **\$2 billion** for our clients in antitrust cases. Some of the larger antitrust recoveries include:

**In re Air Cargo Shipping Services Antitrust Litigation**, MDL 1775 (E.D.N.Y.) (settled during trial preparation, for total settlement of more than \$1.25 billion)

**In re Neurontin Antitrust Litigation**, MDL No. 1479, Master File No. 02-1390 (D.N.J.) (\$190 million recovered)

**In re High Fructose Corn Syrup Antitrust Litigation**, MDL No. 1087, Master File No. 95-1477 (C.D. Ill) (\$531 million recovered)

**In re Brand Name Prescription Drugs Antitrust Litigation**, MDL 997 (N.D. Ill.) (\$720 plus million recovered)

**In re Infant Formula Antitrust Litigation**, MDL 878 (N.D.Fla.) (\$126 million recovered)

**In re Flat Glass Antitrust Litigation**, MDL 1200 (W.D. Pa.) (\$122 plus million recovered)

**In re Hydrogen Peroxide Antitrust Litigation**, MDL 1682 (E.D. Pa.) (\$97 million recovered)

**In re Plastics Additives Antitrust Litigation**, 03-CV-1898 (E.D. Pa.) (\$46.8 million recovered)

**In re Medical X-Ray Film Antitrust Litigation**, CV 93-5904 (E.D.N.Y.) (\$39.6 million recovered)

**In re NBR Antitrust Litigation**, MDL 1684 (E.D. Pa.) (\$34.3 million recovered)

## **ATTORNEY BIOGRAPHIES**

### **PARTNERS**

**ROBERT N. KAPLAN** is widely recognized as a leading antitrust and securities litigator and has led the prosecution of numerous antitrust and securities fraud actions, recovering billions of dollars for the victims of corporate wrongdoing. He was listed by defense and corporate counsel as one of the top 75 plaintiffs' attorneys in the United States for all disciplines. Mr. Kaplan was listed as one of the top five attorneys for securities litigation. He was also recognized by Legal 500 as one of the top securities litigators in the United States for 2011, 2012, 2013, 2014, and 2015, and was listed as one of the leading antitrust attorneys in the country for 2015. Mr. Kaplan was recognized as Super Lawyer in the New York Metro Area.

In the antitrust arena, he has been a lead counsel in many significant actions. He was a lead counsel in *In re Air Cargo Antitrust Litigation* (more than \$1.25 billion in settlements) and was recently appointed by Courts as lead counsel in the *DIPF Antitrust Litigation*, Civ. No. 12-711 (AET)(LHG) (D.N.J.), *In re Cast Iron Soil Pipe and Fittings Antitrust Litigation*, No. 1:14-md-2508-HSM-CHS (E.D.Tenn.), *In re Keurig Green Mountain Single-Serve Coffee Antitrust Litigation*, No. 1:14-md-02542-VSB (S.D.N.Y.) and in *In re Caustic Soda Antitrust litigation*, 1:19-cv-00385 (W.D.N.Y.).

He was lead counsel for CalPERS in *AOL Time Warner Cases I & II*, No. 03AS04015 (Ca. Sup. Ct., L.A. Cty.), and was a lead in *In re Merrill Lynch & Co., Inc. Securities, Derivative & ERISA Litigation*, 07-CV-9633 (LBS)(AJP)(DFE) (S.D.N.Y.), *In re Escala Securities Litigation*, Master File No. 06-cv-3518 (AKH) (S.D.N.Y.) and *In re Bank of America Corp. Securities Litigation*, Master File No. 09 MD 2058 (PKC) (S.D.N.Y.), in which a settlement in the amount of \$2.425 billion and corporate governance changes was approved by the Court.

He also represents clients in private antitrust actions, including Affiliated Foods, Inc., Associated Grocers of New England, Inc., the McLane Company, Inc., Giant Eagle, Inc., URM Stores, Inc., Western Family Foods, Inc., and Associated Food Stores, Inc., among others, in individual cases against Tri-Union Seafoods, LLC, d/b/a Chicken of the Sea, King Oscar, Inc., Bumble Bee Foods, LLC f/k/a Bumble Bee Seafoods, LLC, and

StarKist Co., in *In re Packaged Seafood Products Antitrust Litigation*, MDL No. 2670 (S.D. Cal.).

He previously served as lead counsel or member of the Executive Committee in numerous plaintiff treble damage actions including *In re Neurontin Antitrust Litigation*, MDL No. 1479, Master File No. 02-1390 (D.N.J.) (\$190 million recovered); *In re High Fructose Corn Syrup Antitrust Litigation*, MDL No. 1087, Master File No. 95-1477 (C.D. Ill.) (\$531 million recovered); *In re Brand Name Prescription Drugs Antitrust Litigation*, MDL 997 (N.D. Ill.) (\$720 plus million recovered); *In re Infant Formula Antitrust Litigation*, MDL 878 (N.D. Fla.) (\$126 million recovered); *In re Flat Glass Antitrust Litigation*, MDL 1200 (W.D. Pa.) (\$122 plus million recovered) (Mr. Kaplan successfully argued an appeal before the U.S. Court of Appeals for the Third Circuit, which issued a ground-breaking and often-cited summary judgment opinion. *In re Flat Glass Antitrust Litigation*, 191 F.R.D. 472, 476 n. 7 (W.D.Pa.1999); *In re Hydrogen Peroxide Antitrust Litigation*, MDL 1682 (E.D. Pa.) (\$97 million recovered); *In re Plastics Additives Antitrust Litigation*, 03-CV-1898 (E.D. Pa.) (\$46.8 million recovered); *In re Medical X-Ray Film Antitrust Litigation*, CV 93-5904 (E.D.N.Y.) (\$39.6 million recovered); and *In re NBR Antitrust Litigation*, MDL 1684 (E.D. Pa.) (\$34.3 million recovered).

Currently, Mr. Kaplan is a lead counsel in the Caustic Soda Antitrust Litigation, 1:19-cv-00385 (W.D.N.Y.), in which the court recently upheld plaintiffs' price-fixing claims against five major manufacturers of caustic soda. See *Miami Prod. & Chem. Co. v. Olin Corp.*, No. 1:19-CV-00385 EAW, 2020 WL 1482139, at \*33 (W.D.N.Y. Mar. 27, 2020); *In re Surescripts' Antitrust Litigation* 1:19-cv-06627 (N.D. Ill.); and *In re Keurig Green Mountain* 14-md-2542 (S.D.N.Y.); is chair of the plaintiff Executive Committee in the *In re Delta Dental Antitrust Litigation*, Case No. 1:19-cv-06734 (N.D.Ill.); and is a member of the Direct Purchaser Plaintiffs' Executive Committee in *In re Generic Drugs Antitrust Litigation*, 16-MD-2724 (E.D.Pa.).

Mr. Kaplan is also representing financial institutions across the country in data breach cases against Home Depot and is a member of the Plaintiffs' Steering Committee.

Mr. Kaplan was a trial attorney with the Antitrust Division of the U.S. Department of Justice. There, he litigated civil and criminal actions. He also served as law clerk to the

Hon. Sylvester J. Ryan, then chief judge of the U.S. District Court for the Southern District of New York and served as an acting judge of the City Court for the City of Rye, N.Y.

In addition to his litigation practice, he has also been active in bar and legal committees. For more than fifteen years, he has been a member of what is now known as the Eastern District of New York's Courts Committee on Civil Litigation.

Mr. Kaplan has also been actively involved in the Federal Bar Council, an organization of judges and attorneys in the Second circuit and is a Trustee of the Federal Bar Foundation and has been a member of the Program and Winter Planning Committees. For the Program Committee, in 2013, he organized a class action program. In April of 2015, he organized a program on Antitrust Cartels which was moderated by Hon. Lewis Kaplan and included as panelists the Assistant Chief of the New York office of the Antitrust Division. In 2013, at the Federal Bar Council's winter meeting, he organized a program on class actions, which was moderated by Hon. Raymond Lohier of the Second Circuit. He also planned a program with Chief Judge Robert Katzmann of the Second Circuit concerning Statutory Construction.

Recently Mr. Kaplan was invited by the United States Judicial Center and participated in a multi-day seminar for federal judges about complex litigation.

In addition, Mr. Kaplan has served as a member of the Trade Regulation and Federal Courts Committees of the Association of the Bar of the City of New York.

Mr. Kaplan's published articles include: "Complaint and Discovery In Securities Cases," Trial, April 1987; "Franchise Statutes and Rules," Westchester Bar Topics, Winter 1983; and "Roots Under Attack: Alexander v. Haley and Courlander v. Haley," Communications and the Law, July 1979.

Mr. Kaplan sits on the boards of several organizations, including the Columbia Law School Board of Visitors, Board of Directors of the Carver Center in Port Chester, N.Y., Member of the Dana Farber Visiting Committee, Thoracic Oncology in Boston, MA and President of the Rye Historical Society, Rye New York.

**Education:**

- B.A., Williams College
- J.D., Columbia University Law School

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York

- Bar of the District of Columbia
- U.S. Supreme Court
- U.S. Courts of Appeals for the Second, Third, Seventh, Ninth, Tenth and Eleventh Circuits
- U.S. District Courts for the Southern, Eastern, and Northern and Western Districts of New York, the Central District of Illinois, and the District of Arizona

**Professional Affiliations:**

- Committee to Support the Antitrust Laws (past President)
- National Association of Securities and Commercial Law Attorneys (past President)
- Advisory Group of the U.S. District Court for the Eastern District of New York
- American Bar Association
- Association of Trial Lawyers of America (Chairman, Commercial Litigation Section, 1985-86)
- Association of the Bar of the City of New York (served on the Trade Regulation Committee; Committee on Federal Courts)

Mr. Kaplan can be reached by email at: [RKaplan@kaplanfox.com](mailto:RKaplan@kaplanfox.com)

**GREGORY K. ARENSEN** is principally a plaintiffs' antitrust lawyer with among other things, expertise in economics. He has worked with economic experts in, among others, *In re Air Cargo Shipping Servs. Antitrust Litig.*, Master File No. 06-MD-1175 (JG)(VVP), 2014 WL 7882100 (E.D.N.Y. Oct. 15, 2014), *adopted in its entirety*, 2015 WL 5093503 (E.D.N.Y. July 10, 2015); *In re Ethylene Propylene Diene Monomer (EPDM) Antitrust Litig.*, 256 F.R.D. 82 (D. Conn. 2009); *In re Foundry Resins Antitrust Litig.*, 242 F.R.D. 393 (S.D. Ohio 2007); *In re Carbon Black Antitrust Litig.*, No. Civ. A. 03-10191-DPW, MDL No. 1543, 2005 WL 102966 (D. Mass. Jan. 18, 2005); *In re Microcrystalline Cellulose Antitrust Litig.*, 218 F.R.D. 79 (E.D. Pa. 2003); *Bearings Cases*, Case No. 12-00501, and *Wire Harness Cases*, Case No. 12-00101, part of *In re Automotive Parts Antitrust Litig.*, E.D. Mich., Master File No. 12-md-02311; *Affiliated Foods, Inc., et al. v. Tri-Union Seafoods, LLC d/b/a Chicken of the Sea Int'l, et al.*, part of *In re Packaged Seafood Prods. Antitrust Litig.*, S.D. Cal., Case No. 15-MD-2670 JLS (MDD); *In re Domestic Airline Travel Antitrust Litig.*, D.D.C., MDL Docket No. 2656, Misc. No. 15-1404 (CKK); *In re Dental Supplies Antitrust Litig.*, E.D.N.Y., Case No. 16-

cv-696 (BMC)(GRB); *In re Ductile Iron Pipe Fittings* (“DIPF”) Direct Purchaser Antitrust Litig., D.N.J., Civ. No. 12-711 (AET)(LHG); *In re Cast Iron Soil Pipe & Fittings Antitrust Litig.*, E.D. Tenn., No. 1:14-md-2508; and *In re Pool Prods. Distribution Mkt. Antitrust Litig.*, E.D. La., MDL No. 2328. He also argued the appeals in *In re High Fructose Corn Syrup Antitrust Litig.*, 295 F.3d 651 (7th Cir. 2002), and *In re Hydrogen Peroxide Antitrust Litig.*, 552 F.3d 305 (3d Cir. 2009). He has been ranked as a Super Lawyer for several years. Among other matters, he argued the appeals in *In re High Fructose Corn Syrup Antitrust Litig.*, 295 F.3d 651 (7th Cir. 2002), and *In re Hydrogen Peroxide Antitrust Litig.*, 552 F.3d 305 (3d Cir. 2009).

Mr. Arenson has been a partner in Kaplan Fox & Kilsheimer LLP since 1993. Prior to joining Kaplan Fox, he was a partner with Proskauer Rose LLP. Earlier in his career, he was a partner with Schwartz Klink & Schreiber and an associate with Rudnick & Wolfe (now DLA Piper).

Mr. Arenson is active in the New York State Bar Association. He was a member of the House of Delegates from 2013 to 2017 and 2019 to 2020. Since 2018, he has been a member of New York state Bar Association Continuing Legal Education Committee. He has been Vice Chair and a member of the Executive Committee of the Sections Caucus. He was Chair of the Commercial and Federal Litigation Section from June 2013 through May 2014. He has been Co- Chair of the New York State Bar Association Task Force on the State of Our Courthouses, whose report was adopted by the House of Delegates on June 20, 2009; a member of the New York State Bar Association Special Committee on Standards for Pleadings in Federal Litigation, whose report was adopted by the House of Delegates on June 19, 2010; and a member of the New York State Bar Association Special Committee on Discovery and Case Management in Federal Litigation, whose report was adopted by the House of Delegates on June 23, 2012.

Mr. Arenson has written frequently on discovery issues. His published articles include: “Rule 68 Offers of Judgment and Mootness, Especially for Collective or Class Actions, 20 NY LITIGATOR 25 (2015); “Report on Proposed Amendments to Federal Rule of Civil Procedure 45,” 17 NY LITIGATOR 21 (2012); “Rule 8 (a)(2) After *Twombly*: Has There Been a Plausible Change?” 14 NY LITIGATOR 23 (2009); “Report on Proposed Federal Rule of Evidence 502,” 12 NY LITIGATOR 49 (2007); “Report: Treating the

Federal Government Like Any Other Person: Toward a Consistent Application of Rule 45," 12 NY LITIGATOR 35 (2007); "Report of the Commercial and Federal Litigation Section on the Lawsuit Abuse Reduction Act of 2005," 11 NY LITIGATOR 26 (2006); "Report Seeking To Require Party Witnesses Located Out-Of-State Outside 100 Miles To Appear At Trial Is Not A Compelling Request," 11 NY LITIGATOR 41 (2006); "Eliminating a Trap for the Unwary: A Proposed Revision of Federal Rule of Civil Procedure 50," 9 NY LITIGATOR 67 (2004); "Committee Report on Rule 30(b)(6)," 9 NY LITIGATOR 72 (2004); "Who Should Bear the Burden of Producing Electronic Information?" 7 FEDERAL DISCOVERY NEWS, No. 5, at 3 (April 2001); "Work Product vs. Expert Disclosure – No One Wins," 6 FEDERAL DISCOVERY NEWS, No. 9, at 3 (August 2000); "Practice Tip: Reviewing Deposition Transcripts," 6 FEDERAL DISCOVERY NEWS, No. 5, at 13 (April 2000); "The Civil Procedure Rules: No More Fishing Expeditions," 5 FEDERAL DISCOVERY NEWS, No. 9, at 3 (August 1999); "The Good, the Bad and the Unnecessary: Comments on the Proposed Changes to the Federal Civil Discovery Rules," 4 NY LITIGATOR 30 (1998); and "The Search for Reliable Expertise: Comments on Proposed Amendments to the Federal Rules of Evidence," 4 NY LITIGATOR 24 (1998). He was co-editor of FEDERAL RULES OF CIVIL PROCEDURE, 1993 AMENDMENTS, A PRACTICAL GUIDE, published by the New York State Bar Association; and a co-author of "Report on the Application of Statutes of Limitation in Federal Litigation," 53 ALBANY LAW REVIEW 3 (1988).

Mr. Arenson serves as a mediator in the U.S. District Court for the Southern District of New York. In addition, he is an active alumnus of the Massachusetts Institute of Technology, having served as a member of the Corporation, a member of the Corporation Development Committee, vice president of the Association of Alumni/ae, member of the Annual Fund Board (of which he was a past chair), secretary of his class, and 50<sup>th</sup> reunion gift committee co-chair.

**Education:**

- S.B., Massachusetts Institute of Technology (1971)
- J.D., University of Chicago (1975)

**Bar Affiliations and Court Admissions:**

- Bar of the State of Illinois (1975)
- Bar of the State of New York (1978)

- U.S. Supreme Court
- U.S. Courts of Appeals for the Second, Third and Seventh Circuits
- U.S. District Courts for the Northern and Central Districts of Illinois, the Southern and Eastern Districts of New York, and the Eastern District of Michigan.
- U.S. Tax Court

Mr. Arenson can be reached by email at: [GArenson@kaplanfox.com](mailto:GArenson@kaplanfox.com)

**FREDERIC S. FOX** first associated with Kaplan Fox in 1984, and became a partner in the firm in 1991. For over 30 years, he has concentrated his work in the area of class action litigation. Mr. Fox has played important roles in many major class action cases. He was one of the lead trial lawyers in two securities class actions, one of which was the first case tried to verdict under the Private Securities Litigation Reform Act of 1995.

Mr. Fox has played a lead role in many major securities class action cases, including as a senior member of the litigation and trial team in *In re Bank of America Corp. Securities, ERISA, & Derivative Litigation*, No. 09-MDL-2058 (S.D.N.Y.) ("*In re Bank of America*"). The case arose out of Bank of America's acquisition of Merrill Lynch. *In re Bank of America* settled for \$2.425 billion plus significant corporate governance reforms, and stands as one of the largest securities class action settlements in history. In *In re Bank of America* Mr. Fox served as lead counsel on behalf of major public pension funds. Mr. Fox currently represents many institutional investors including governmental entities in both class actions and individual litigation. Mr. Fox is currently leading the team of attorneys prosecuting an individual opt-out action on behalf of a public pension fund arising out of the fraud at Petrobras in Brazil. Other significant cases in which Mr. Fox served as lead counsel include: *In re Merrill Lynch & Co., Inc. Securities, Derivative, & ERISA Litigation*, No. 07-cv-9633 (S.D.N.Y.)(in which he was the primary attorney responsible for negotiating the \$475 million settlement); *In re Fannie Mae 2008 Securities Litigation*, No. 08-cv-7831 (S.D.N.Y.) ("*In re Fannie Mae 2008*") (\$170 million settlement); *In re SunPower Securities Litigation*, Case No. 09-cv-5473 (N.D. Cal.); *In re Merrill Lynch Research Reports Securities Litigation* (S.D.N.Y.) (arising from analyst reports issued by Henry Blodget); *In re Salomon Analyst Williams Litigation* (S.D.N.Y.) and *In re Salomon Focal Litigation* (S.D.N.Y.) (both actions stemming from analyst reports issued by Jack Grubman). Mr. Fox has also handled derivative cases seeking corporate governance

reform and other shareholder litigation on behalf of public pension funds asserting state law and foreign causes of action. Mr. Fox is a frequent speaker and panelist in both the U.T. and abroad on a variety of topics including securities litigation and corporate governance.

In the consumer protection area, he served on the Plaintiffs' Steering Committee in the *Baycol Products Litigation* where there have been more than \$350 million in settlements. Additionally, he is serving as one of the Co-lead Counsel in *In re RC2 Corp. Toy Lead Paint Products Liability Litigation* pending in the Northern District of Illinois.

Mr. Fox is listed in the current editions of New York Super Lawyers and is recognized in Benchmark Litigation 2010 as a New York "Litigation Star."

Mr. Fox is the author of "Current Issues and Strategies in Discovery in Securities Litigation," ATLA, 1989 Reference Material; "Securities Litigation: Updates and Strategies," ATLA, 1990 Reference Material; and "Contributory Trademark Infringement: The Legal Standard after Inwood Laboratories, Inc. v. Ives Laboratories," University of Bridgeport Law Review, Vol. 4, No. 2.

During law school, Mr. Fox was the notes and comments editor of the University of Bridgeport Law Review.

**Education:**

- B.A., Queens College (1981)
- J.D., Bridgeport School of Law (1984)

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York (1985)
- Bar of the District of Columbia (2013)
- U.S. Supreme Court
- U.S. Courts of Appeals for the First, Second, Fourth, Sixth and Eleventh Circuits
- U.S. District Courts for the Southern and Eastern Districts of New York, the District of Colorado and the District of Columbia

**Professional Affiliations:**

- American Bar Association
- Association of the Bar of the City of New York
- Association of Trial Lawyers of America (Chairman, Commercial Law Section, 1991-92)

Mr. Fox can be reached by email at: [FFox@kaplanfox.com](mailto:FFox@kaplanfox.com)

**LAURENCE D. KING** first joined Kaplan Fox as an associate in 1994. He became a partner of the firm in 1998. While Mr. King initially joined the firm in New York, in 2000 he relocated to San Francisco to open the firm's first West Coast office. He is now partner-in-charge of the firm's Oakland and Los Angeles offices. In that capacity, he has regularly served as a lead member of the litigation team for Kaplan Fox's California-based institutional investor clients, and, is always available at a moment's notice.

Mr. King practices primarily in the areas of securities litigation, with an emphasis on institutional investor representation and consumer protection litigation. He has also practiced in the area of employment litigation. Mr. King has played a substantial role in cases that have resulted in some of the largest recoveries ever obtained by Kaplan Fox, including *In re Bank of America Securities Litigation* (S.D.N.Y.), *In re 3Com Securities Litigation* (N.D. Ca.), *In re Informix Securities Litigation* (N.D. Ca.), *AOL Time Warner Cases I & II* (Ca. Sup. Ct., L.A. Cty.) and *Providian Credit Card Cases* (Ca. Sup. Ct., S.F. Cty.).

An experienced trial lawyer, prior to joining Kaplan Fox Mr. King served as an assistant district attorney under the legendary Robert Morgenthau in the Manhattan (New York County) District Attorney's Office, where he tried numerous felony prosecutions to jury verdict. At Kaplan Fox, he was a member of the trial team for two securities class actions tried to verdict, *In re Biogen Securities Litigation* (D. Mass.) and *In re Health Management Securities Litigation* (E.D.N.Y.). Mr. King also prepared for numerous cases for trial in which favorable settlements were ultimately achieved.

Mr. King has been selected for inclusion in the Northern California *SuperLawyers* each year since 2012, and has previously served as Vice-Chair, and then as Co-Chair, of the American Association for Justice's Class Action Litigation Group of the American Association for Justice.

**Education:**

- B.S., Wharton School of the University of Pennsylvania (1985)
- J.D., Fordham University School of Law (1988)

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York (1989)
- Bar of the State of California (2000)

- U.S. Court of Appeals for the Second, Third, Fifth, Ninth and Tenth Circuits
- U.S. District Courts for the District of New Jersey, Eastern District of Pennsylvania, Southern and Eastern Districts of New York, and Northern, Central and Southern Districts of California

**Professional Affiliations:**

- Bar Association of San Francisco
- American Bar Association
- American Association for Justice
- San Francisco Trial Lawyers' Association
- American Business Trial Lawyers

Mr. King can be reached by email at: [LKing@kaplanfox.com](mailto:LKing@kaplanfox.com)

**JOEL B. STRAUSS** first associated with Kaplan Fox in 1992, and became a partner of the firm in 1999. He practices in the area of securities and consumer fraud class action litigation, with a special emphasis on accounting and auditing issues. He has been repeatedly selected for inclusion to the New York Super Lawyers list (Securities Litigation) (2007-2010, 2014-2017).

Prior to joining Kaplan Fox, Mr. Strauss served as a senior auditor with one of the former “Big Eight” accounting firms. Combining his accounting background and legal skills, he has played a critical role in successfully prosecuting numerous securities class actions across the country on behalf of shareholders. Mr. Strauss was one of the lead trial lawyers for the plaintiffs in the first case to go to trial and verdict under the Private Securities Litigation Reform Act of 1995.

More recently Mr. Strauss has been involved in representing the firm’s institutional clients in the following securities class actions, among others: *In re Bank of America Corp. Securities, ERISA & Derivative Litig.* (S.D.N.Y.) (\$2.425 billion settlement); *In re Merrill Lynch & Co., Inc. Securities, Derivative and ERISA Litig.* (S.D.N.Y.) (\$475 million settlement); *In re Prestige Brands Holdings Inc. Securities Litig.* (S.D.N.Y.) (\$11 million settlement); *In re Gentiva Securities Litig.* (E.D.N.Y.) (\$6.5 million settlement); and *In Re SunPower Securities Litig.* (N.D.Cal) (\$19.7 million settlement). He has also served as lead counsel for lead plaintiffs in *In re OCA, Inc. Securities Litig.* (E.D. La.) (\$6.5 million settlement) and *In re Proquest Company Securities Litig.* (E.D. Mich.) (\$20 million settlement). Mr. Strauss also played an active role for plaintiff investors in *In Re*

*Countrywide Financial Corporation Securities Litig.* (C.D.Cal), which settled for more than \$600 million.

In the consumer protection area, Mr. Strauss served as Chair of Plaintiffs' Non-Party Discovery Committee in the *Baycol Products Litig.*, where there were more than \$350 million in settlements.

Mr. Strauss is also active in the firm's growing data privacy practice. In July 2017 he moderated a panel on U.S. Data Privacy Laws at a conference in Tel Aviv.

Although currently practicing exclusively in the area of law, Mr. Strauss is a licensed Certified Public Accountant in the State of New York.

Mr. Strauss has also been a guest lecturer on the topics of securities litigation, auditors' liability and class actions for seminars sponsored by the Practicing Law Institute and the Association of the Bar of the City of New York.

**Education:**

- B.A., Yeshiva University (1986)
- J.D., Benjamin N. Cardozo School of Law (1992)

**Bar Affiliations and Court Admissions:**

- Bar of the State of New Jersey
- Bar of the State of New York
- U.S. Court of Appeals for the First, Second and Third Circuits
- U.S. District Courts for the Southern and Eastern Districts of New York and the District of New Jersey

**Professional Affiliations:**

- American Bar Association (member, Litigation Section, Rule 23 Subcommittee)
- Association of the Bar of the City of New York
- New York State Bar Association
- American Institute of Certified Public Accountants

Mr. Strauss can be reached by email at: [JStrauss@kaplanfox.com](mailto:JStrauss@kaplanfox.com)

**ELANA KATCHER** has extensive complex antitrust litigation experience drawn from her work on both the plaintiff and defense sides. Ms. Katcher began her career in antitrust litigation as an associate at Sullivan & Cromwell LLP where she was a member of the trial team defending Microsoft Corporation against a series of private class actions brought in

courts around the country, as well as representing other major defendants in bet-the-company litigation.

Since 2007, Ms. Katcher has been instrumental in some of Kaplan Fox's largest cases, including *In re Air Cargo Shipping Servs. Antitrust Litig.*, MDL No. 1775 (E.D.N.Y.), and a successful bellwether trial in *Neurontin Marketing, Sales Practices & Products Liability Litig.*, MDL No. 1629 (D. Mass.). In addition, Ms. Katcher co-drafted a successful opposition to the first Rule 12(b)(6) motion to dismiss in the sprawling Generic Pharmaceutical antitrust actions, *In re Propranolol Antitrust Litig.*, 249 F. Supp. 3d 712 (S.D.N.Y. 2017) (Rakoff, J.), and continues to work on behalf of the Direct Purchaser Plaintiffs in the *Generic Pharmaceutical* antitrust actions now pending before District Judge Cynthia M. Rufe in the Eastern District of Pennsylvania, including as part of the briefing team that recently prevailed against the first tranche of motions to dismiss brought in that litigation. See *In re Generic Pharm. Pricing Antitrust Litig.*, No. 16-CB-27243, 2018 WL 5003450 (E.D. Pa. Oct. 16, 2018). She currently serves as part of the co-lead teams in *In re Caustic Soda Antitrust Litigation*, *In re Caustic Soda Antitrust Litigation*, 1:19-cv-00385 (W.D.N.Y.), in which the court recently upheld plaintiffs' price-fixing claims against five major manufacturers of caustic soda. See *Miami Prod. & Chem. Co. v. Olin Corp.*, No. 1:19-CV-00385 EAW, 2020 WL 1482139, at \*33 (W.D.N.Y. Mar. 27, 2020).

In addition, Ms. Katcher represents significant corporate clients, including clients listed on Nasdaq, in individual antitrust actions in Packaged Seafood in which she has recently co-argued a key motion to dismiss before District Judge Janis L. Sammartino, obtaining a significant victory where the court upheld jurisdiction over two foreign defendants. See *In re Packaged Seafood Prod. Antitrust Litig.*, No. 15-MD-2670 JLS (MDD), 2018 WL 4222506 (S.D. Cal. Sept. 5, 2018). Ms. Katcher has also taken major depositions of key witnesses in the U.S., Hong Kong, and Frankfurt, in Air Cargo, Packaged Seafood, and other cases.

She has an expertise in cross-border discovery issues and has recently authored an article entitled "*Discovery from Foreign Litigants in U.S. Courts: Why hasn't the Sedona Conference Shifted the Narrative?*" ABA Antitrust Section, Global Private Litigation Bulletin (Feb. 2020).

Prior to Kaplan Fox, she was an associate at Sullivan & Cromwell LLP and King & Spalding LLP, where she participated in the defense of major companies, including at trial and in arbitration.

**Education:**

- B.A. Oberlin College
- J.D., New York University
- 

**Bar Affiliations and Court Admission**

- Bar of the State of New York
- U.S. District Courts for the Southern and Eastern Districts of New York

**Professional Affiliations:**

- New York State Bar Association
- New York City Bar Association

Ms. Katcher can be reached by email at: [ekatcher@kaplanfox.com](mailto:ekatcher@kaplanfox.com)

**HAE SUNG NAM** first associated with Kaplan Fox in 1999 and became a partner in the firm in 2005. She practices in the areas of securities and antitrust litigation, mainly focusing in the firm's securities practice.

Since joining the firm, Ms. Nam has been involved in all aspects of securities practice, including case analysis for the firm's institutional investor clients. She has been a key member of the litigation team representing a number of institutional clients in class action securities litigation, including cases against Bank of America Corporation, Fannie Mae and Ambac Financial Group, Inc. She also has a focus in prosecuting opt-out actions on behalf of the Firm's clients and has played a significant role in *Ohio Public Employees Retirement System v. Petroleo Brasileiro S.A., AOL Time Warner Cases I & II* (Ca. Sup. Ct., L.A. Cty.) and *State Treasurer of the State of Michigan v. Tyco International, Ltd., et al.*, and is currently representing an institutional investor in an opt- out case against Petrobras.

Ms. Nam has also been involved in the firm's antitrust practice, representing purchasers of flat glass products in a class action alleging a price-fixing conspiracy and a currently pending litigation captioned *In re: Keurig Green Mountain Single-Serve Coffee Antitrust Litigation*.

Prior to joining the firm, Ms. Nam was an associate with Kronish Lieb Weiner & Hellman LLP, where she trained as transactional attorney in general corporate securities

law and mergers and acquisitions.

Ms. Nam graduated, magna cum laude, with a dual degree in political science and public relations from Syracuse University's Maxwell School and S.I. Newhouse School of Public Communications. Ms. Nam obtained her law degree, with honors, from George Washington University Law School. During law school, Ms. Nam was a member of the George Washington University Law Review. She is the author of a case note, "Radio – Inconsistent Application Rule," 64 Geo. Wash. L. Rev. (1996). In addition, she also served as an intern for the U.S. Department of Justice, Antitrust Division.

**Education:**

- B.A., magna cum laude, Syracuse University (1994)
- J.D., with honors, George Washington University School of Law (1997)

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York (1998)
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Courts for the Southern and Eastern Districts of New York, and Eastern District of Wisconsin

Ms. Nam can be reached by email at: [HNam@kaplanfox.com](mailto:HNam@kaplanfox.com)

**DONALD R. HALL** has been associated with Kaplan Fox since 1998, and became a partner of the firm in 2005. He practices in the areas of securities, antitrust and consumer protection litigation. Mr. Hall is actively involved in maintaining and establishing the firm's relationship with institutional investors and oversees the Portfolio Monitoring and Case Evaluation Program for the firm's numerous institutional investors.

Mr. Hall was a member of the trial team prosecuting *In re Bank of America*, which settled for \$2.425 billion, the single largest securities class action recovery for violations of Section 14(a) of the Exchange Act and one of the top securities litigation settlements obtained in history. He currently represents a number of the firm's institutional investor clients in securities class actions, including in *In re Eletrobras Secs. Litig.*, Case No. 15-cv-5754 as co-lead counsel in a class action against a Brazilian company and in *Kasper v. AAC Holdings, Inc.*, No. 15-cv-00923, also as co-lead counsel. Mr. Hall successfully represented institutional clients in *In re Merrill Lynch*, which settled for \$475 million; *In re Fannie Mae* 2008, which settled for \$170 million; *In re Ambac Financial Group, Inc. Securities Litigation*, No. 08-cv-411 (S.D.N.Y.) ("In re Ambac"); *In re Majesco Securities*

*Litigation*, No. 05-cv-3557 (D.N.J.); and *In re Escala Group, Inc. Secs. Litig.*, No. 05-cv-3518 (S.D.N.Y.) (“*In re Escala*”). Additionally, he was a member of the litigation team in *AOL Time Warner Cases I & II*, an opt-out action brought by institutional investors that settled just weeks before trial, resulting in a recovery of multiples of what would have been obtained had those investors remained members of the class action.

Mr. Hall has played a key role in many of the firm’s securities and antitrust class actions resulting in substantial recoveries for the firm’s clients, including *In re Merrill Lynch Research Reports Securities Litigation* (arising from analyst reports issued by Henry Blodget); *In re Salomon Analyst Williams Litigation* and *In re Salomon Focal Litigation* (both actions stemming from analyst reports issued by Jack Grubman); *In re Flat Glass Antitrust Litigation*; and *In re Compact Disc Antitrust Litigation*. Mr. Hall graduated from the College of William and Mary in 1995 with a B.A. in Philosophy and obtained his law degree from Fordham University School of Law in 1998. During law school, Mr. Hall was a member of the Fordham Urban Law Journal and a member of the Fordham Moot Court Board. He also participated in the Criminal Defense Clinic, representing criminal defendants in federal and New York State courts on a pro- bono basis.

**Education:**

- B.A., College of William and Mary (1995)
- J.D., Fordham University School of Law (1998)

**Bar Affiliations and Court Admissions:**

- Bar of the State of Connecticut
- Bar of the State of New York
- U.S. Supreme Court
- U.S. Courts of Appeals for the First, Second and Eleventh Circuits
- U.S. District Courts for the Southern and Eastern Districts of New York

**Professional Affiliations:**

- American Bar Association
- Association of Trial Lawyers of America
- New York State Bar Association

Mr. Hall can be reached by email at: [DHall@kaplanfox.com](mailto:DHall@kaplanfox.com)

**JEFFREY P. CAMPISI** joined Kaplan Fox in 2004 and became partner of the firm in 2012. He practices in the area of securities and antitrust litigation. Mr. Campisi has been involved in *In re: Generic Pharmaceuticals Pricing Antitrust Litigation*, 16-md-2724-CMR pending before Judge Rule in the Eastern District of Pennsylvania and *In re Broiler Chicken Antitrust Litig.*, Master File No. 16-cv-08637 (N.D. Ill.).

Mr. Campisi has been involved in all aspects of securities practice, including case analysis for the firm's numerous public pension fund and institutional investor clients. Mr. Campisi recently represented institutional investors in the following securities class actions: *Kasper v. AAC Holdings, Inc. et al.*, 15-cv-923 (M.D. Tenn.) (\$25 million settlement); *In re 2008 Fannie Mae Securities Litigation* (08cv7831) (S.D.N.Y.) (\$170 million settlement); *In re Merrill Lynch & Co., Inc. Securities Derivative and ERISA Litigation* (07cv9633) (S.D.N.Y.) (\$475 million settlement); and *In re Sequenom, Inc. Securities Litigation* (S.D. Cal.) (09cv921) (more than \$60 million in cash and stock recovered).

Mr. Campisi served as law clerk for Herbert J. Hutton, United States District Court Judge for the Eastern District of Pennsylvania.

**Education:**

- B.A., cum laude, Georgetown University (1996)
- J.D., summa cum laude, Villanova University School of Law (2000)

Member of Law Review and Order of the Coif

**Bar affiliations and court admissions:**

- Bar of the State of New York
- U.S. Courts of Appeals for the Ninth and Tenth Circuits
- U.S. District Courts for the Northern, Western, Southern and Eastern Districts of New York, and Western District of Tennessee

**Professional affiliations:**

- Federal Bar Council

Mr. Campisi can be reached by email at: [jcampisi@kaplanfox.com](mailto:jcampisi@kaplanfox.com)

**MELINDA CAMPBELL** has been associated with Kaplan Fox since September 2004 and became a partner of the firm in 2012. She represents investors and institutions in securities fraud class action litigation.

Mrs. Campbell currently represents the College of Applied Arts and Technology Pension Plan in *In re Vale S.A. Securities Litigation*, No. 19-cv-526-RJD-SJB, and IWA Forest Industry Pension Plan in *In re Textron, Inc. Securities Litigation*, 19-cv-7881 (S.D.N.Y.). Mrs. Campbell's recent noteworthy cases include: *Ollila v. Babcock & Wilcox Enterprises, Inc.*, No. 3:17-CV-109 (W.D.N.C.), *In re Eletrobras Secs. Litig.*, No. 15-cv-5754 (S.D.N.Y.), and *In re Bank of America Corp. Securities Litigation*, MDL No. 2058 (S.D.N.Y.).

Mrs. Campbell obtained her J.D. from the University of Pennsylvania Law School. While attending law school, she successfully represented clients of the Civil Practice Clinic of the University of Pennsylvania Law School, and provided pro bono legal services through the Homeless Advocacy Project and the Southern Poverty Law Center. Mrs. Campbell obtained her undergraduate degree from the University of Missouri (*cum laude*).

Mrs. Campbell is a member in the Federal Courts Committee of the New York County Lawyers Association and served as a panelist in a continuing legal education course offered by the Committee concerning waiver of attorney-client privilege under Federal Rule of Evidence 501. Additionally, Mrs. Campbell is a member of the American Bar Association and the New York State Bar Association.

**Education:**

- B.A., University of Missouri (2000)
- J.D., University of Pennsylvania Law School (2004)

**Bar affiliations and court admissions:**

- Bar of the State of New York (2005)
- U.S. Courts of Appeals for the First, Second and Eleventh Circuits
- U.S. District Courts for the Southern and Eastern Districts of New York

**Professional affiliations:**

- American Bar Association
- New York State Bar Association
- New York County Lawyers Association

Mrs. Campbell can be reached by email at: [MCampbell@kaplanfox.co](mailto:MCampbell@kaplanfox.co)

**MATTHEW P. McCAHILL** was associated with Kaplan Fox from 2003 to 2005, rejoined the firm in May 2013 and became a partner in 2016. He practices in the areas of antitrust and securities litigation, as well as commercial litigation. From 2006 to early 2013, Mr. McCahill was an associate at Berger & Montague, P.C. in Philadelphia. While focusing on insurance and antitrust class action cases, including *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, MDL No. 1720 (E.D.N.Y.) and *Ormond et al. v. Anthem, Inc. et al.*, Case No. 1:05-cv-01908-TWP-TAB (N.D. Ind.) (related to the demutualization of Anthem Insurance, which settled for \$90 million in 2012), he also represented corporations and bankruptcy trustees in commercial litigation involving claims for breach of contract, breach of fiduciary duty and fraudulent conveyance.

Mr. McCahill's practice includes representation of plaintiffs opting out of class actions. He has represented large retailers who opted out of the *Payment Card* class to pursue their own antitrust actions against Visa and MasterCard challenging the networks' merchant rules and their interchange (or "swipe") fees. Among the merchants he and the firm represent in that case are E-Z Mart Stores, Inc., Sunoco, LP (formerly known as Susser Holdings Corp., operator of the Stripes® convenience store chain), Jacksons Food Stores, Sheetz, Inc., Kum & Go, L.C., Einstein Noah Restaurant Group, Furniture Row, Inc. and NPC International, Inc. (the world's largest franchisee of Pizza Hut restaurants).

Mr. McCahill is part of the Kaplan Fox team representing large grocery chains and food distributors in *In re Packaged Seafood Products Antitrust Litigation*, MDL No. 2670 (S.D. Cal.), alleging price-fixing and other antitrust violations against the country's largest suppliers of packaged tuna, and *In re Broiler Chicken Antitrust Litig.*, Master File No. 16-cv-08637 (N.D. Ill.) against the country's primary suppliers of chickens. He and other Kaplan Fox lawyers also represented the Ohio Public Employees Retirement System in an individual securities fraud action against Brazilian energy conglomerate Petrobras in *In re Petrobras Securities Litigation*, Civ. Action No. 14-cv-9662 (JSR) (S.D.N.Y.).

Mr. McCahill's current and past involvement in class action litigation at Kaplan Fox includes: *In re Cast Iron Soil Pipe Antitrust Litigation*, MDL No. 2508 (E.D. Tenn.), where he represented a proposed class of direct purchasers of cast iron soil pipes and fittings in an antitrust case against the Cast Iron Soil Pipe Institute, Charlotte Pipe & Foundry Co. and McWane, Inc. and its subsidiaries; *In re SandRidge Energy, Inc. Shareholder Derivative*

*Litigation*, No. CIV-13-102-W (W.D. Okla.) (partial settlement of \$38 million); *In re Neurontin Antitrust Litigation*, MDL No. 1479 (D.N.J.) (delayed-generic entry action brought by direct purchasers of Pfizer's drug Neurontin, which settled for \$190 million following nearly 12 years of litigation).

Every year since 2014, Mr. McCahill has been named a "New York Metro Super Lawyer – Rising Star" in antitrust litigation, and was selected as a "Pennsylvania Super Lawyer – Rising Star" (also in antitrust litigation) in 2012 and 2013. He is a member of the American, Pennsylvania State, New York State and New York City bar associations. Mr. McCahill's *pro bono* efforts focus primarily on representing Marine Corps veterans in benefits proceedings before the Veterans Administration.

**Education:**

- B.A., History, *summa cum laude*, Rutgers College (2000)
- J.D., Fordham Law School (2003)

**Bar Affiliations and Court Admissions:**

- Bars of the State of New York and the Commonwealth of Pennsylvania
- U.S. Court of Appeals for the Second Circuit
- U.S. District Courts for the Southern and Eastern Districts of New York and the Eastern District of Pennsylvania

**Professional Affiliations:**

- American Bar Association
- New York State Bar Association
- Pennsylvania Bar Association
- Association of the Bar of the City of New York

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**DAVID A. STRAITE** joined the New York office of Kaplan Fox in 2013. He focuses on data privacy litigation, helping to protect consumer privacy in class actions against Facebook, Google, Yahoo and others. Mr. Straite is a Certified Information Privacy Professional (US Law) by the IAPP, and in 2012, M.I.T. Technology Review magazine called Mr. Straite "something of a pioneer" in the field. Mr. Straite also protects investors in securities, corporate governance, and hedge fund litigation. Prior to joining the firm, Mr. Straite helped launch the US offices of London-based Stewarts Law LLP, where he was the global head of investor protection litigation. Prior to Stewarts Law he worked in the Delaware

office of Grant & Eisenhofer and the New York office of Skadden Arps. Mr. Straite speaks frequently on topics related to both privacy and investor protection. Most recently:

January 2020: featured panelist, "Balancing Government Investigation and Class Action Following a Data Breach" seminar at the Southern District of New York, hosted by the Federal Bar Council and moderated by the Hon. Naomi Reice Buchwald.

March 2018: featured panelist at the "Recent Developments in Cybersecurity and Data Privacy" seminar at the Southern District of New York, hosted by the Federal Bar Council and moderated by the late Hon. Deborah Batts.

February 2017: featured panelist on the "Data Privacy and Article III Standing" panel at the Federal Bar Council's 2017 Winter Meeting along with Dean Erwin Chemerinsky and the Hon. Lorna Schofield.

February 2016: featured speaker at the St. John's University "Cyber Law" CLE weekend.

February 2013: featured panelist on the hedge fund panel at the February 6, 2013 meeting of the National Association of Public Pension Attorneys in Washington, D.C. ("Structuring Investments - Do I get to Go to the Cayman Islands?")

Mr. Straite is also an adjunct professor at Yeshiva University's Sy Syms School of Business, teaching Business Law and Ethics for the Fall semester (2015, 2016, 2017, 2019 and preparing for Fall 2020).

Mr. Straite has co-authored *Google and the Digital Privacy Perfect Storm* in E-Commerce Law Reports (UK) (2013), authored *Netherlands: Amsterdam Court of Appeal Approves Groundbreaking Global Settlements Under the Dutch Act on the Collective Settlement of Mass Claims*, in The International Lawyer's annual "International Legal Developments in Review" (2009), and was a contributing author for Maher M. Dabbah & K.P.E. Lasok, QC, Merger Control Worldwide (2005).

Mr. Straite's recent litigation experience includes:

*In re: Apple Inc. Device Performance Litigation*, co-lead counsel for putative class of iPhone6, SE and 7 owners related to computer intrusion and trespass claims related to device throttling (\$500 million nationwide settlement pending final approval);

*In re: Facebook Internet Tracking Litigation*, co-lead counsel for putative class of Facebook subscribers related to post-logout tracking (achieved important victory in the Ninth Circuit in April 2020 establishing several new privacy laws);

*In re: Yahoo Mail Litigation*, co-lead counsel for class related to Yahoo's former practice of scanning incoming and outgoing email for content (settlement approved August 2016);

*Rodriguez v. Universal Property & Casualty Ins. Co.*, co-lead counsel for a class of more than 600,000 consumers related to website security issue (first-ever data security class action challenging a security vulnerability before the breach; settlement approved July 2017);

*In re: CSO Hedge Fund Litigation*, co-lead counsel for class of hedge fund investors (\$13.5 million settlement approved January 2016; claiming investors recouped more than 50% of their losses).

**Education:**

- B.A., Tulane University, Murphy Institute of Political Economy (1993)
- J.D., *magna cum laude*, Villanova University School of Law (1996), Managing Editor, Law Review and Order of the Coif

**Bar affiliations and court admissions:**

- Bar of the State of New York (2000)
- Bar of the State of Delaware (2009)
- Bar of the State of Pennsylvania (1996)
- Bar of the State of New Jersey (1996)
- Bar of the District of Columbia (2008)
- U.S. District Courts for the Southern and Eastern Districts of New York; Eastern District of Pennsylvania; and the District of Delaware
- U.S. Courts of Appeals for the Second, Third and Ninth Circuits

**Professional affiliations:**

- American Bar Association
- Section of Litigation (Privacy and Data Security Committee)
- Section of Business Law
- New York American Inn of Court (Master of the Bench)  
Internet Society (Member)
- International Association of Privacy Professionals (Member)

Mr. Straite can be reached by email at: [dstraite@kaplanfox.com](mailto:dstraite@kaplanfox.com)

## **OF COUNSEL**

**GARY L. SPECKS** practices primarily in the area of complex antitrust litigation. He has represented plaintiffs and class representatives at all levels of litigation, including appeals to the U.S. Courts of Appeals and the U.S. Supreme Court. In addition, Mr. Specks has represented clients in complex federal securities litigation, fraud litigation, civil RICO litigation, and a variety of commercial litigation matters. Mr. Specks is resident in the firm's Chicago office.

During 1983, Mr. Specks served as special assistant attorney general on antitrust matters to Hon. Neil F. Hartigan, then Attorney General of the State of Illinois.

### **Education:**

- B.A., Northwestern University (1972)
- J.D., DePaul University College of Law (1975)

### **Bar Affiliations and Court Admissions:**

- Bar of the State of Illinois (1975)
- U.S. Courts of Appeals for the Third, Fifth, Seventh, Ninth and Tenth Circuits
- U.S. District Court for the Northern District of Illinois, including Trial Bar

### **Professional Affiliations:**

- American Bar Association
- Illinois Bar Association
- Chicago Bar Association

Mr. Specks can be reached by email at: [GSpecks@kaplanfox.com](mailto:GSpecks@kaplanfox.com)

**W. MARK MCNAIR** practices in the area of securities litigation with a special emphasis on institutional investor involvement. He associated with the firm in 2003, and is resident in Washington, D.C. Prior to entering private practice, he was an attorney at the Securities and Exchange Commission and the Municipal Securities Rulemaking Board.

### **Education:**

- B.A. with honors, University of Texas at Austin (1972)
- J.D. University of Texas at Austin (1975)
- L.L.M. (Securities) Georgetown University (1989)

Mr. McNair can be reached at [MMcnair@kaplanfox.com](mailto:MMcnair@kaplanfox.com)

**WILLIAM J. PINILIS** practices in the areas of commercial, consumer and securities class action litigation.

He has been associated with Kaplan Fox since 1999, and is resident in the firm's New Jersey office.

In addition to his work at the firm, Mr. Pinilis has served as an adjunct professor at Seton Hall School of Law since 1995, and is a lecturer for the New Jersey Institute for Continuing Legal Education. He has lectured on consumer fraud litigation and regularly teaches the mandatory continuing legal education course Civil Trial Preparation.

Mr. Pinilis is the author of "Work-Product Privilege Doctrine Clarified," *New Jersey Lawyer*, Aug. 2, 1999; "Consumer Fraud Act Permits Private Enforcement," *New Jersey Law Journal*, Aug. 23, 1993; "Lawyer-Politicians Should Be Sanctioned for Jeering Judges," *New Jersey Law Journal*, July 1, 1996; "No Complaint, No Memo – No Whistle-Blower Suit," *New Jersey Law Journal*, Sept. 16, 1996; and "The *Lampf* Decision: An appropriate Period of Limitations?" *New Jersey Trial Lawyer*, May 1992.

**Education:**

- B.A., Hobart College (1989)
- J.D., Benjamin Cardozo School of Law (1992)

**Bar Affiliations and Court Admissions:**

- Bar of the State of New Jersey (1992)
- Bar of the State of New York (1993)
- U.S. District Courts for the District of New Jersey, and the Southern and Eastern Districts of New York

**Professional Affiliations:**

- Morris County Bar Association
- New Jersey Bar Association
- Graduate, Brennan Inn of Court

Mr. Pinilis can be reached by email at: [WPinilis@kaplanfox.com](mailto:WPinilis@kaplanfox.com)

**JUSTIN B. FARAR** joined Kaplan Fox in March 2008. He practices in the area of securities and antitrust litigation with a special emphasis on institutional investor involvement. He is located in the Los Angeles office. Prior to joining the firm, Mr. Farar was a litigation associate at O'Melveny & Myers, LLP and clerked for the Honorable Kim McLane Wardlaw on the Ninth Circuit Court of Appeals. Mr. Farar also formerly served

as a Commissioner to the Los Angeles Convention and Exhibition Authority. Mr. Farar served as an adjunct professor at USC Law School where he taught a course on class actions.

**Education:**

- J.D., order of the coif, University of Southern California Law School (2000)
- B.A., with honors, University of California, San Diego

**Bar Affiliations and Court Admissions:**

- Bar of the State of California (2000)
- U.S. Court of Appeals for the Ninth Circuit (2000)
- U.S. District Court for the Central of California (2000)

**Awards:**

- The American Society of Composers, Authors and Publishers' Nathan Burkan Award Winner, 2000 for article titled "Is the Fair Use Defense Outdated?"

Mr. Farar can be reached by email at: [JFarar@kaplanfox.com](mailto:JFarar@kaplanfox.com)

**MATTHEW GEORGE** is a complex litigation attorney at Kaplan Fox & Kilsheimer LLP with a practice focused on data privacy, consumer protection, and employment/labor cases. He has significant experience and expertise handling multidistrict litigation and other coordinated proceedings in state and federal courts involving multiple parties and complex discovery issues.

Matthew has been a strong advocate for consumer and patient privacy. He has served on court-appointed lead counsel teams in notable cutting-edge data breach and information privacy cases against Target, Adobe, Yahoo!, and Horizon Healthcare. In these and other cases he has worked with cybersecurity experts to gain technical knowledge in data collection, management and protection. He was recently appointed to the Plaintiffs' Steering Committee in *In re 21st Century Oncology Data Breach Litigation*, MDL No. 2737, pending in the Middle District of Florida.

Matthew has also recovered unpaid overtime wages for thousands of workers across the United States under state and federal law in over a dozen cases. His notable recoveries include generating a \$9.9 million settlement on behalf of retail employees and winning a two-week arbitration representing misclassified account representatives against a Fortune 500 company. Matthew has also recovered over \$10 million for employees in cases alleging violations of the WARN Act when the employees were not

provided required notice before their terminations.

He has also represented customers challenging deceptive business practices and has worked to obtain significant recoveries in consumer fraud cases against companies including Chase, Mercedes-Benz and The Ritz-Carlton. He currently represents consumers in cases against HBO, Logitech, and Chipotle, among others. In addition to representing plaintiffs in class action cases, Matthew has also represented institutional clients including labor unions and conducted a risk management analysis for a multi-national health and wellness consumer product corporation.

Matthew has been selected by his peers as a “Rising Star” by Northern California Super Lawyers each year from 2011-2014 and was chosen as a “Super Lawyer” in 2016, the first year he was eligible for the distinction. He has been a regular speaker at industry conventions and seminars on topics ranging from arbitration, expert discovery, settlement strategies, and the rapidly changing field of privacy law.

**Education:**

- B.A., Political Science and Criminal Justice, *magna cum laude*, Chapman University (2002)
- J.D., The University of Michigan Law School (2005)

**Publications and Speaking Engagements:**

- Expert Depositions: Promoting Expertise and Limiting Exposure –Bridgeport Continuing Legal Education “Mastering the Deposition” Seminar (January 2017)
- “How Viable Is the Prospect of Private Enforcement of Privacy Rights In The Age of Big Data? An Overview of Trends and developments In Privacy Class Actions” – Competition, The Journal of the Antitrust and Unfair Competition Law Section of the State Bar of California, Volume 24, No. 1 (Spring 2015)
- Panel Discussion of Sony Pictures Data Breach Cases – CNBC’s “Squawk On the Street” (December 2014)
- New and Developing Practice Areas – CAOC 53<sup>rd</sup> Annual Convention (November 2014)
- Privacy Law Symposium – University of California, Hastings College of the Law (April 2014)
- Update On the Target Data Breach Litigation – HarrisMartin Target Data

Breach MDL Conference (March 2014)

- Consumer Privacy Law – 8<sup>th</sup> Annual CAOC Class Action Seminar (February 2014)
- Privacy Litigation and Management: Strategies For Protection and Litigation – Bridgeport Continuing Legal Education Seminar (December 2012)
- Class Action Settlement Strategies and Mechanics – 12<sup>th</sup> Annual Bridgeport Class Action Litigation & Management Conference (April 2012)
- Developments In the Arbitration of Wage and Hour Disputes – Bridgeport 2010 Wage and Hour Conference (October 2010)

**Bar Affiliations and Court Admissions:**

- Bar of the State of California
- U.S. District Courts for the Northern, Central, Southern and Eastern Districts of California, and the District of Colorado
- Ninth Circuit Court of Appeals

**Professional Affiliations:**

- Bay Area Lawyers for Individual Freedom
- Consumer Attorneys of California (Diversity Committee)
- American Bar Association (Labor and Employment Section)

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**ASSOCIATES**

**MARIO M. CHOI** is a resident in the Oakland office and practices in the areas of securities, antitrust, and consumer protection litigation.

During law school, Mr. Choi interned for the Honorable Bruce M. Selya, U.S. Circuit Judge for the U.S. Court of Appeals for the First Circuit. After law school, Mr. Choi clerked for the Honorable Richard B. Lowe, III, in the Commercial Division of the New York Supreme Court, New York County. Prior to joining the firm, Mr. Choi was at Pryor Cashman LLP.

Mr. Choi is actively involved in the community, including serving as a Judge Pro Tem for the San Francisco Superior Court and on the boards of various non-profit organizations in the Bay Area. For his work, Mr. Choi was elected as a Fellow of the American Bar Foundation.

**Education:**

- B.A., Boston University
- M.A., Columbia University
- J.D., Northeastern University

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York
- Bar of the State of California
- U.S. Courts of Appeals for the Eighth and Ninth Circuits
- U.S. District Courts for the Northern, Southern and Central Districts of California and the Southern District of New York

**Professional Affiliations:**

- American Bar Association
- Asian American Bar Association – Bay Area
- Bar Association of San Francisco
- Federal Bar Association

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**PAMELA MAYER** has been associated with Kaplan Fox since February 2009.

She practices in the area of securities litigation.

Prior to joining Kaplan Fox, Ms. Mayer was a securities investigation and litigation attorney for a multinational investment bank. Utilizing her combined legal and business background, including her M.B.A., Ms. Mayer focuses on the research and analysis of securities claims on behalf of our firm's individual and institutional clients and is dedicated full-time to the firm's Portfolio Monitoring and Case Evaluation Program. Ms. Mayer also has substantial litigation experience in the area of intellectual property.

**Education:**

- B.S., The University of Rochester
- J.D., The George Washington University
- M.B.A., Finance, The University of Michigan

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York
- U.S. District Courts for the Southern and Eastern Districts of New York

**Professional Affiliations:**

- New York State Bar Association

Ms. Mayer can be reached by email at: [pmlayer@kaplanfox.com](mailto:pmlayer@kaplanfox.com)

**AARON L. SCHWARTZ** has been an associate with Kaplan Fox since July 2017. His practice focuses on antitrust, consumer protection, and securities litigation.

Prior to joining the firm, Mr. Schwartz was a Deputy Attorney General in the Pennsylvania Office of Attorney General, Antitrust Section. As a Deputy Attorney General, Mr. Schwartz conducted investigations, sued to enjoin anticompetitive corporate mergers, and prosecuted pharmaceutical product-hopping schemes, market allocation schemes, and unfair trade practices. Specifically, Mr. Schwartz represented the Commonwealth in *FTC v. Penn State Hershey Medical Center*, No. 1-15-cv-02362 (M.D. Pa.) and *U.S. v. Aetna Inc.*, 1:16-cv-01494 (D.D.C.).

Since joining the firm, Mr. Schwartz has continued to advocate for consumer rights, serving on court-appointed lead counsel teams in notable consumer protection matters, including against Apple Inc. and Avis-Budget Group. Mr. Schwartz has also developed a securities and shareholder practice, and currently represents public pension funds and institutional clients in matters concerning securities fraud and breach of fiduciary duties.

**Education:**

- B.A., University of Wisconsin—Madison (2009)
- J.D., The Pennsylvania State University—The Dickinson School of Law (2014)

**Bar Affiliations and Court Admissions:**

- Bar of the Commonwealth of Pennsylvania
- U.S. Court of Appeals for the Third Circuit
- U.S. District Courts for the Eastern, Middle, and Western Districts of Pennsylvania

**Professional Affiliations:**

- Pennsylvania Bar Association
- American Bar Association

**Publications**

- *Effective Merger Enforcement: Is it Time for a Retrospective Study on Cross-Market Provider Transactions*, A.B.A., Section of Antitrust Law, 8 State Enforcement Committee Newsletter 4, 10 (Spring 2017).

Mr. Schwartz can be reached by email at: [aschwartz@kaplanfox.com](mailto:aschwartz@kaplanfox.com)

**JASON A. URIS** is an associate in the firm's New York office. He practices in the areas of securities, antitrust, and consumer litigation. Mr. Uris is currently involved in several litigations, including *In re: Keurig Green Mountain Single-Serve Coffee Antitrust Litigation*, 14-md-2542 (S.D.N.Y.); *Lewis v. YRC Worldwide Inc., et al.*, 19-cv-00001 (N.D.N.Y.); and *In re Twitter, Inc. Securities Litigation*, Civil Action 4:19-7149-YRG (N.D. Cal.).

Mr. Uris was also a member of the teams that litigated the following cases: *Milbeck v. Truecar, Inc. et al.*, 18-cv-2612 (C.D. Cal.) (\$28.25 million settlement); *Kasper v. AAC Holdings, Inc., et al.* (M.D. Tenn.) (\$25 million settlement); *In re SandRidge Energy, Inc. Shareholder Derivative Litigation*, No. CIV-13-102-W (W.D. Okla.) (partial settlement of \$38 million); *In re Cast Iron Soil Pipe Antitrust Litigation*, MDL No. 2508 (E.D. Tenn.) (\$30 million settlement); and *In re: CSO Hedge Fund Litigation* (\$13.5 million settlement).

**Education:**

- B.A., *cum laude*, Boston University (2011)
- J.D., Fordham University School of Law (2014)

**Bar Affiliations and Court Admissions:**

- Bar of the State of New York (2015)
- U.S. District Courts for the Southern and Eastern Districts of New York

**Professional Affiliations:**

- New York State Bar Association

Mr. Uris can be reached by email at: [juris@kaplanfox.com](mailto:juris@kaplanfox.com)